

**Jury Committee
Judicial Conference of Indiana**

February 8, 2008
Minutes

1. Attendance. The following Committee members were present for the meeting: Christopher Burnham, Shelia Carlisle, Jeffrey Heffelfinger, David Kiely, Michael Peyton, and William Hughes, Chair.
2. Staff present. Michelle C. Goodman and Tom Carusillo provided the Committee with staff assistance.
3. Approval of minutes. The Committee approved the December 2007 minutes after making an amendment to correct a typographical error.
4. Jury service matters. The Committee first discussed the issue raised in December concerning the elderly citizens and jury service. The Committee reviewed two proposed amendments to the Jury Rules and supporting documents. During the discussion, the Committee noted that individual courts oversee the information that is communicated to prospective jurors and the impact these communications have in educating jurors on the types of information that needs to be brought to the court's attention. After lengthy discussion, the Committee specifically rejected the proposed amendment to Jury Rule 6 noting that exemptions should not be expanded. The Committee adopted an amendment to Jury Rule 5(e) to provide that a physical or mental disability may include infirmity due to age. The Committee believes this will help courts address concerns raised by elderly citizens and communicate with them concerning circumstances that prevent them from rendering satisfactory service. The Committee requested staff to draft the commentary to the proposed amendment and requested this item be placed on the next Board of Director's agenda for consideration.

The Committee also discussed IC 10-16-16-1 concerning exemption from jury service for individuals on active military service. The Committee requested staff to prepare a Frequently Asked Question citing this exemption for posting on the Committee's web page.
5. Jury Orientation video. Staff reported that the contract with the production company has been signed and we are currently awaiting the production schedule. The Committee was informed that the production company would be taping the narrator portion of the changes and using film segments to fill in the visual portion to keep the integrity of the production enacted. The hope is to have this completed as soon as possible.
6. Jury Pool Project/JMS. The Committee learned that the project staff is discussing (1) issues raised by counties regarding the list, (2) process for obtaining feedback from the counties on data updates, (3) issues to discuss with project sub-committee and entities providing data, (4) review of CASS information, and (5) updating data merge process documents. The Committee also discussed issues raised by Marion County concerning address issues. The Committee requested the sub-committee review methods of

improving the list development and whether the CASS codes should be used to further refine the list information. The Committee asked whether jury administrators knew who to contact regarding questions and concerns with the lists. Staff reported that staff names are listed in the documents distributed to jury administrators with list information and staff is also working on these issues when conducting trainings on the JMS system. The Committee requested to be involved in the staff education matters through the Education Department of IJC.

The Committee also discussed the JMS project. Currently, there are 18 counties that are trained on the system and one county that will be trained next week.

7. Jury Management Benchbook. The Committee reviewed the list of assignments from December and modified Judge Peyton's assignment to include juror privacy and juror stress throughout the entire jury process. The Committee requested that members send forms or ideas for sub-topics to staff who will distribute the information to the proper member. The benchbook assignment are as follows:

Jury Selection: Judge Hughes

Jury Orientation: Mag. Rosenberg

Trial Management: Judge Todd

Deliberations: Judge Schneider

Juror privacy/juror stress: Judge Peyton

Capital/High Profile cases: Judge Carlisle

The Committee will review the Jury Selection materials at the April meeting and requested staff to see if the Deliberations section could be reviewed June. Other sections will be assigned deadline for materials at the April meeting.

8. Other business. The Committee received the responses to the survey sent regarding alternate juror procedures. The Committee will continue to discuss this at the April meeting. The Committee also reviewed a request that the JMS system allow counties to set mileage reimbursement rates above the state rate. The Committee approved this practice emphasizing the need to continue to encourage improvements in juror treatment.

9. 2008 Meeting Schedule.

Friday, April 11, 2008 – noon at IJC

Friday, June 13, 2008 – noon at IJC

Friday, August 8, 2008 – noon at IJC

Friday, October 10, 2008 – noon at IJC

*Note: Meeting times are listed as Indianapolis time.

Respectfully submitted,

Michelle C. Goodman
Staff Attorney